

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

KEVIN SCHWEER and KIM SCHWEER,

Plaintiff,

-VS-

SANDY ALUSINE, JB HUNT TRANSPORT,
JOHN DOES 1-100 (fictitious names) and ABC
COMPANIES 1-100 (fictitious names),

Defendant(s).

:
: DOCKET NO.: 3:22-cv-04973

: *Civil Action*

• **Removed from the:**

- Superior Court of New Jersey
- Law Division: Ocean County
- Docket No.: OCN-L-1260-22

NOTICE OF REMOVAL

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY:

Defendants, **SANDY ALUSINE and J.B. HUNT TRANSPORT, INC. s/h/a JB HUNT TRANSPORT** (hereinafter, “moving defendants”), by and through their attorneys Rawle & Henderson LLP, respectfully avers as follows:

1. At all times material, Kevin Schweer is a citizen of the State of New Jersey and currently resides at 110 Blue Bell Drive, Jackson, New Jersey 08527 in Ocean County. (See **Exhibit “A”** - Plaintiff's Summons and Complaint).
2. At all times material, Kim M. Schweer is a citizen of the State of New Jersey and currently resides at 110 Blue Bell Drive, Jackson, New Jersey 08527 in Ocean County. (See **Exhibit “A”** - Plaintiff's Summons and Complaint).
3. Defendant, Sandy Alusine, is a citizen of the State of Pennsylvania and currently resides at 2005 S. Redfield Street, Philadelphia, Pennsylvania 19143 in the County of Philadelphia.
4. Defendant, J.B. Hunt Transport, Inc. is (and was) a corporation incorporated in the State of Georgia with its principal place of business in Lowell, Arkansas.

5. Plaintiff commenced a civil action in the Superior Court of New Jersey for Ocean County, on or about June 15, 2022.

6. Defendants were served and made aware of the lawsuit on or about July 15, 2022.

7. It is the position of moving defendant that the service of the Complaint was improper pursuant to the New Jersey Court Rules 4:4-4 given plaintiff did not serve the Complaint on moving defendant's registered agent.

8. Even if this Honorable Court concludes that service was proper, this Removal petition is being filed within 30 days of service of the Complaint.

9. There are no other known defendants in this matter.

10. A review of plaintiffs' Complaint reveals that plaintiffs, Kevin Schweer and Kim Schweer, allegedly sustained severe personal injuries.

11. Based on the fair reading of the Complaint, plaintiff has set forth a claim in which the amount is in the excess of jurisdictional limits of \$75,000.00, exclusive of interest and costs, which may be at stake.

12. Diversity of citizenship within the meaning of 28 U.S.C. §1332 exists between plaintiff and defendant since: (a) plaintiff is a citizen, resident and reside in the state of New Jersey and defendant J.B. Hunt Transport, Inc. is incorporated in the State of Georgia with its principal place in business in Lowell, Arkansas.

13. Furthermore, diversity of citizenship existed at the time the action sought to be removed was commenced and continues through the time of filing of this notice such that moving defendant is entitled to removal pursuant to 28 U.S.C. §1441, as amended and 28 U.S.C. §1446.

WHEREFORE, SANDY ALUSINE and J.B. HUNT TRANSPORT, INC. s/h/a JB HUNT TRANSPORT claim that the above-captioned action now pending in the Superior Court of New Jersey, Law Division, Ocean County, be removed therefrom to this Honorable Court.

Dated: New York, New York
August 9, 2022



Anthony D. Luis, Esq.
Attorney No.: 057692014
RAWLE & HENDERSON LLP
Attorneys for Defendants
SANDY ALUSINE and J.B. HUNT TRANSPORT, INC. s/h/a JB HUNT TRANSPORT
14 Wall Street, 27th Floor
New York, New York 10005-2101
E-Mail: aluis@rawle.com
Telephone No.: 1 (212) 323-7070
Fax No.: 1 (212) 323-7099
Our File No.: 720657